

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

P.S. – Education (SE) Department – Departmental action initiated against Sri K.Jayachandra Kumar, formerly D.E.O., Nellore District - Enquiry Report received – Further Enquiry ordered – Government reconsidered the issue – Further action dropped – Orders – Issued.

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EDUCATION (SE.Vig.I) DEPARTMENT

G.O.Rt.No. 245

Dated: 30.01.2013

Read the following:-

- 1) Govt. Memo.No.3698/Ser.I.2/2001-2, dated 21.3.2001.
- 2) Explanation of Sri K.Jayachandra Kumar, the then DEO., Nellore, dt.03.5.2001.
- 3) From the C&DSE., Hyderabad, Lr. Rc.No.99/C1-2/2001, dated 12.11.2001.
- 4) G.O.Rt.No.565, Education (Ser.I) Department, dated 25.09.2002.
- 5) From Smt. S.Venkamma, Lr.Rc.No.6/APOS/B1/2002, dated 30.08.2003.
- 6) G.O.Rt.No.254, Education (SE.Vig) Department, dated 06.04.2005.
- 7) Govt.Memo.No.38/Vig(2)/2005, dated 06.04.2005.
- 8) Govt. Memo.No.38/Vig (2)/2005-4, dated 26.10.2005.
- 9) Orders of the Hon'ble A.P.A.T., Hyderabad, in O.A.No.141/2006, dated 05.01.2006.
- 10) Orders of the Hon'ble A.P.A.T., Hyderabad, in O.A.No.141/2006 with V.M.A.No.281/2006, dated 30.10.2009.
- 11) From the C&DSE., Hyderabad, Lr. No.12/C1-2/2006, dated 21.12.2009.
- 12) Govt. Memo.No.38/SE-Vig.I(2)/2005-26, dated 03.4.2010.
- 13) G.O.Rt.No.64, Education [SE.Vig.I(2)] Department, dated 06.02.2012.
- 14) Representation of Sri K.Jayachandra Kumar, Principal, B.Ed. College, Nagarjunsagar, dated 03.9.2012.

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ORDER:

Whereas, on noticing certain irregularities taken place in the transfers of the Teachers in Nellore District, disciplinary action has been initiated against Sri K.Jayachandra Kumar, formerly D.E.O., Nellore in the reference 1<sup>st</sup> read above, and the following Article of charges have been framed against him:-

- |            |                                                                                                                                                                                                                                                                                    |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Charge-I   | That he has effected transfers of 38 teachers and modification of postings after the completion of the District Level counselling in violation of the orders issued in G.O.Ms.No.118, Edn (Ser.IV) Dept., dated 20.9.2000 and other orders issued / rules framed by the Govt./DSE. |
| Charge-II  | That he has effected 13 deputations in violation of proceedings of the DSE in Rc.No.411/E2/2000, dated 29.02.2000.                                                                                                                                                                 |
| Charge-III | That he has by passed the authority of the District Level and Mandal Level Committees constituted in G.O.Ms.No.118, Education, dated 20.9.2000 and thus acted beyond his competence in effecting the transfers/ deputations.                                                       |
| Charge-IV  | That he has violated the instructions issued by the DSE in Proc. Rc.No. 5432/C2-2/2000, dt.28.9.2000 in having shifted MRPS from one mandal to another mandal”                                                                                                                     |

2. And whereas, Smt. S.Venkamma, the then Special Officer, APOSS., Hyderabad who has been appointed as Enquiry Officer, in the matter, has submitted her report in the reference 5<sup>th</sup> read above;

3. And whereas, after considering the report of Smt. S.Venkamma, Enquiry Officer, the case has been remitted back to her in the references 7<sup>th</sup> & 8<sup>th</sup> read above, to conduct further enquiry in the matter against Sri K.Jayachandra Kumar, formerly D.E.O., Nellore and to submit the enquiry report in a complete shape;

4. And whereas, on the Proceedings in Rc.No.Dir/Spl/SET/2005 (KJC), dated 19.12.2005 issued by Smt. S.Venkamma, Enquiry Officer, the Accused Officer, Sri K.Jayachandra Kumar, D.E.O., has filed an O.A.No.141 of 2006 before the Hon'ble A.P.A.T., Hyderabad, questioning instructions issued by the Government to conduct further enquiry, in the matter. The Hon'ble A.P.A.T., Hyderabad has passed the following orders in the reference 9<sup>th</sup> cited:-

P.T.O.

*“the impugned notice in Rc.No.Dir/Spl/SET/2005 (KJC), dated 19.12.2005 issued by the Enquiry Officer, i.e., the 3<sup>rd</sup> respondent herein, is suspended. It is, however, open to the 1<sup>st</sup> respondent to pass appropriate orders on the enquiry report already submitted by the Enquiry Officer on 30.8.2003, taking into account the explanation submitted by the applicant, pursuant to the Memo., dated 03.11.2003, pending disposal of the O.A.”*

5. Government have filed V.M.A. No.281/2006, before the Hon’ble A.P.A.T., Hyderabad, in the said O.A., duly explaining under which further enquiry has been ordered against Accused Official, Sri K.Jayachandra Kumar, and prayed the Tribunal to dismiss the O.A. and set aside the orders in O.A.No.141 of 2006, dated 05.01.2006 and permit Smt. S.Venkamma, the Director, SIET., Hyderabad and Enquiry Officer to conduct further enquiry and submit report to Government.

6. In the reference 10<sup>th</sup> cited, the Hon’ble A.P.A.T., Hyderabad has passed the following orders:-

*“Since the order does not disclose any reasons, I am inclined to set aside the same. Hence, the order issued by the Government in Memo.No.38/Vig (2)/2005-4, dated 26.10.2005 is set aside. The disciplinary authority is at liberty to direct the enquiry officer to take steps regarding conduct of further enquiry after assigning further reasons, as per CCA rules. In view of this, the O.A. is disposed of. VMA stands closed”.*

7. Keeping in view of the above orders passed by the Hon’ble A.P.A.T., Hyderabad, Smt. S.Venkamma, Enquiry Officer has been informed in the reference 12<sup>th</sup> read above, that her Enquiry Report submitted to the Government, vide Rc.No.6/APOS/B1/ 2002, dated 30.08.2003, is not in the established procedure and directed her to conduct further enquiry into the charges framed against Sri K.Jayachandra Kumar, formerly District Educational Officer, Nellore District, duly following the procedure laid down in the A.P.C.S. (CC&A) Rules, 1991, and furnish the enquiry report, in the matter.

8. However, the Government have reconsidered the entire matter and observed that the Article of charges framed against the incumbent are relating to the administrative lapses and therefore to take a lenient view and to drop further action against Sri K.Jayachandra Kumar, former D.E.O., Nellore District in the mater.

9. Accordingly, Government hereby drop further action against Sri K.Jayachandra Kumar, former D.E.O., Nellore District, in the matter.

10. The Commissioner & Director of School Education, A.P., Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI  
PRL. SECRETARY TO GOVERNMENT (SE)

To

Sri K.Jayachandra Kumar, formerly D.E.O., Nellore District, through the Commissioner & Director of School Education, Hyderabad.

The Commissioner & Director of School Education, Hyderabad.

Smt. S.Venkamma, Enquiry Officer through the Commissioner & Director of School Education, Hyderabad.

Sri Ch.Ramana Kumar, R.J.D.S.E., Kadapa and Presenting Officer through the Commissioner & Director of School Education, Hyderabad.

Copy to the Secretary to A.P.V.C.

Copy to SF/SCs.

//forwarded by order///

SECTION OFFICER